

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JAN 09 2018

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**MATTHEW J. DYKMAN**  
CLERK

**vs.**

**No. 2:15-cr-04268-JB**

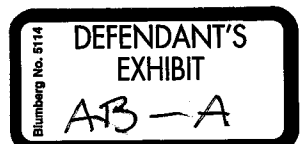
**ANGEL DELEON, et al.,**

**Defendants.**

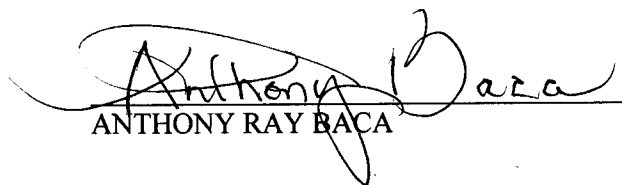
**WAIVER BY ANTHONY RAY BACA**

I, Anthony Ray Baca, being of age of majority and of sound mind do hereby acknowledge that I have been advised by my attorneys, Theresa M. Duncan and Marc Lowry, of the following:

1. My attorney, Marc Lowry, is a partner at the law firm of Rothstein Donatelli, LLC. Mr. Lowry joined that firm in September of 2003.
2. Eric Duran is a witness against me in this case.
3. Sometime before December 18, 2001, Duran retained Rothstein Donatelli to represent him in connection with a claim for damages arising from a beating he received from correctional officers at the Lea County Correctional Facility in Hobbs, New Mexico. That case was settled in 2002, and dismissed in September 2002.
4. On December 10, 2015, Marc Lowry was appointed to represent me in this pending case.
5. Sometime in March 2016, we learned that Eric Duran was a cooperating government witness and would likely testify against me at trial. Around that same time, my attorneys informed me that Mr. Lowry's law firm had represented Duran in the 2001 litigation. We discussed that prior representation and I informed my counsel that I wanted Mr. Lowry to remain as my counsel in this case.
6. By signing this document I acknowledge that I have been apprised of all the facts surrounding Rothstein Donatelli's previous representation of Duran, and of Mr. Lowry's employment by that firm.



7. Understanding all the foregoing facts, I hereby advise the Court that I waive any conflict of interest, if any, regarding Rothstein Donatelli's prior representation of Duran.

  
ANTHONY RAY BACA